

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY EIGHTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

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WRIT PETITION NO : 20604 of 1999

Between:

Sri Laxmi Rama Picture House,

rep. by its Managing Partner Sri T.Ram Prasad

..... PETITIONER

AND

- 1 The Divisional Engineer, Operations, A.P. TRANSCO
Gudivada.
- 2 The Assistant Accounts Officer, Elec. Revenue Office,
A.P. TRANSCO, Gudivada.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to call for the relating to and in connection with proceedings in No.LR.AAO/ERO/GDV/JAO.II/GBS.II/ D.No.2424/99, dt.25-9-99 and squash the same as illegal, arbitrary, without authority.

Counsel for the Petitioner: MR. T.JAGDISH

**Counsel for Respondents: MR. V.AJAY KUMAR (STANDING COUNSEL FOR
A.P. TRANSCO)**

The Court made the following:

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ORDER:

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This writ petition is filed questioning the proceedings dated

25-09-1999 issued in Lr.No.AAO/ERO/GDV/JAO.II/GBS.II/ D.No.2424/99 by the second respondent-Assistant Accounts Officer, Electricity Revenue Office, A.P. Transco, Gudivada, Krishna District, demanding an amount of Rs.36,637=60 ps on account of surcharge on the arrears of consumption of power supply from the petitioner-Theatre bearing Service Connection No.7260/26.

There were consumption arrears to the tune of Rs.10,703=10 ps from the petitioner-Theatre and questioning the same, earlier, the petitioner filed W.P.No.11748 of 1989. Subsequently, the said writ petition was dismissed on 25-09-1999. Consequent to the dismissal order, this impugned demand was issued. As per the terms and conditions of Supply, surcharge is payable on the arrears of consumption of power supply. Moreover, these proceedings are consequent to the orders passed by this Court in W.P.No.11748 of 1989.

In that view of the matter, I do not find any merit in this writ petition. However, this Court by interim order dated 06-10-1999 in W.P.M.P.No.25827 of 1999, directed the respondents to reconnect electricity to the petitioner's premises subject to the condition of the petitioner depositing an amount of Rs.15,000/- with the first respondent. As much as the said order continued all along, the petitioner is granted two months' time to pay the same if the remaining amount is not paid by this time.

Subject to the above direction, the writ petition is disposed of. No order as to costs.

R.SUBHASH REDDY, J

28th June, 2005.

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ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Divisional Engineer, Operations, A.P. Transco, Gudivada,
Krishna District.
2. The Assistant Accounts Officer, Electricity Revenue Office,
A.P. Transco, Gudivada, Krishna District.
3. Two CD copies.